

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

April 21, 2003  
8:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, Mosher, and Noble

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:02 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Mr. Creighton led the flag salute.

(a) Clyde Hill Elementary School Choir Performance

Mayor Marshall introduced Steve Holmberg and the Clyde Hill Elementary School choir to perform a brief program of patriotic songs. Mrs. Marshall recently heard the choir sing at the City-sponsored "Every Student is a Winner" Family Resource Fair on March 30 and invited them to City Hall. Choir members were presented with Bellevue 24-Hour Relay Challenge shirts from Council.

(b) Recognition of Bellevue 50Fest Volunteers

Public Information Officer Ron Langley introduced John Valaas (First Mutual Bank), Bellevue 50Fest Co-Chair. Mr. Valaas described recent 50Fest activities including the March 31 Incorporation Day celebration at Meydenbauer Center, the *Dance as You Were* Sock Hop at Bellevue Community College, and a history time line exhibit touring the city. Certificates were distributed to the following volunteers in appreciation of their work on 50Fest planning:

Patrick Alina  
Margot Blacker  
Alyssa Burrows  
Anne Chik  
Jamie Dye  
Brenda Frost (50Fest Events Committee Chair)  
Faisal Jaswal  
Catherine Laird  
Elaine Long  
Lisa Max  
Blake Morgan Mitchell  
Rick Ott  
Mary Ellen Piro  
Mandy Redd  
Jim Roberts  
Lynn Sherk  
Alan Stein  
Iris Toscher  
Heather Trescases  
Carla Uribe  
Dorothy Webb  
Kristen Webb  
Deb Wenzel  
Viki Wenzel.

Ms. Frost thanked the following organizations for their support: Bellevue Community College, *Club Bellevue* after-school program, Brant Photographers, Bellevue Sister Cities Association, Eastside Heritage Center, KBSG, Pacific Northwest Bank, Meydenbauer Center, and City of Bellevue.

(c) Proclamation of April 26 as Earth Day and Arbor Day

Parks and Community Services Director Patrick Foran announced that 2003 is the 12<sup>th</sup> year Bellevue has received the *Tree City USA Award* and the 10<sup>th</sup> year to achieve the *Growth Award*. To commemorate Bellevue's 50 years of incorporation, fifty trees have been planted along the Lake Hills Connector. Mr. Foran invited the public to participate in Arbor Day and Earth Day activities beginning at 8:30 a.m. on April 26 at Kelsey Creek Community Park and throughout the Lake Hills Connector.

Ben Thompson, Washington State Department of Natural Resources, presented the National Arbor Day Foundation's *Tree City USA Award* and *Sterling City Award*, recognizing achievement of the *Tree City Growth Award* for 10 consecutive years, to the City. Mayor Marshall read a proclamation recognizing April 26 as Arbor Day and Earth Day in Bellevue.

(d) 2002 Excellence in Aquatics Award

Mr. Foran announced that the City has received the 2002 *Excellence in Aquatics Award* from the National Recreation and Park Association (NRPA).

Mike Koenig, Aquatics Manager, explained that the award recognizes agencies that demonstrate excellence in planning and managing diversified aquatic services. Award criteria include responsiveness to community needs, quality of services, accessibility of services, professionalism and training of staff, and the responsible use of resources. Agencies are eligible for the award only once every five years.

Bellevue's aquatic program includes two indoor swimming pools, six summer beach parks, a boat launch, and an outdoor canoe and kayak center. Bellevue Aquatic Center served more than 180,000 visitors and experienced revenue in excess of \$515,000 last year. The City's swimming program, one of the largest in the state, provided approximately 30,000 individual lessons last year. Mr. Koenig said the City earned this award through a vision of public safety, diverse quality programming, and sound fiscal management. He thanked City Council, Parks and Community Services Board, Parks Staff, and Bellevue Aquatic Center Advisory Board for their support of all programs.

Mayor Marshall thanked Mr. Koenig for his leadership and work.

(e) Proclamation of April as Sexual Assault Awareness Month

Terry Higashiyama, Parks Assistant Director, said the City provides approximately \$25,000 annually to the King County Sexual Assault Resource Center. She introduced Mary Ellen Stone, Executive Director of KCSARC, and DeAnn Yamamoto, Director of Client Services.

Ms. Stone thanked the City for its role in this partnership to end the silence about sexual violence. Ms. Yamamoto recognized the work of NetStar Communications, a Bellevue company, in ensuring 24-hour telephone communications for KCSARC. She thanked Tony Chang and Chris Kelly of NetStar for their dedication and assistance.

Mayor Marshall read a proclamation recognizing April as Sexual Assault Awareness Month in Bellevue.

3. Communications: Written and Oral

- (a) Nan Campbell praised positive changes in the community including new sidewalks (south side of NE 8<sup>th</sup> Street between 164<sup>th</sup> Avenue and Northup Way) and the relocation of some mailboxes in her neighborhood. She noted the management brief (Council Packet, Page 5-2) regarding Shoreline Overlay District regulations and encouraged the City to complete the requested amendment by the end of 2004.
- (b) Frank Lill, President of the Rosemont Beach Homeowners Association, described the Association's request that the City amend the Shoreline Overlay District of the Land Use

Code to allow structure setbacks to be measured from a static elevation point.

- (c) Anthony Murrietta, General Teamsters Local Union #174, said the City of Kirkland's request for proposal (RFP) for sanitation services includes language to ensure displaced employees and their families are treated fairly in any transition. He encouraged the City of Bellevue to include similar language in its RFP.
- (d) Bob Marks thanked the City and Council for the anticipated purchase of the McTavish property in the Woodridge neighborhood.
- (e) Gail Wolz, representing the Mobile Mirth Club, encouraged Mayor Marshall to proclaim Bellevue's participation in World Laughter Day on May 4. She invited the public to share in a celebration at First Presbyterian Church's community center at 4:55 p.m. on May 4 and to attend weekly lunchtime "Lighten up with Laughter" exercises beginning on May 8.
- (f) George Raffle, General Teamsters Local Union #174, expressed concern that one of the bidders for the City's sanitation contract has an ongoing history of labor trouble in Pierce County.
- (g) Bill Guenzler, candidate for Freeholder Position No. 5 in the Charter City initiative, described three important elements of a new charter: 1) preserving part-time City Councilmembers, 2) retaining non-partisan elections, and 3) retaining professional city management.
- (h) Jane Archer, candidate for Freeholder Position No. 9 and a member of the Parks and Community Services Board, said her candidacy for this position reflects her desire to continue to serve the community.
- (i) Arlene Darby described the many contributions of King County Councilmember Kent Pullen, who passed away on April 14, and his role in establishing the King County Natural Medicine Clinic.

4. Reports of Community Councils, Boards and Commissions

- (a) Lesley Stuart, Chair of the Parks and Community Services Board, provided an update on the Board's activities and policy discussions (Page 4-1 of the Council Packet). Over the past two years the Board has been involved in the Downtown Implementation Plan, West Lake Hills Citizen Advisory Committee, Critical Areas Committee, Eastside Heritage Society, local neighborhood associations, and other City boards and commissions. The Parks Board worked closely with the Environmental Services Commission to establish priorities for the 2002 Park Levy and Bond. Although the bond measure failed at the polls, the Board plans to try again in the future. The Parks Board has been working with the Botanical Garden Society to plan and design a new Visitor Center at the gardens.

Ms. Stuart noted new park openings at Lattawood Park, Sunset Park, and Sixth Street Park, the completion of master planning for Meadow Wood Park, and the transfer of Eastgate Park from King County to the City. The Board recently collaborated with Eastside Heritage Society to create a citywide historical marker system.

Ms. Stuart said the Parks Board held a retreat in March and identified the following priorities:

- Acquisition of specific land parcels.
- Evaluating and increasing senior activities.
- A Youth Summit to identify youth needs and activities.
- Expansion of community garden plots.
- Establishing an “artists in residence” program within the parks system.
- Incorporating the “park experience” throughout downtown.
- Continuing to work with Bellevue School District to establish community schools.
- Working with staff on department accreditation.
- Continuing to emphasize community involvement in Board decisions.
- Finding ways to interact more effectively with the Human Services Commission.

Ms. Stuart thanked Councilmember Creighton for his support as Board liaison.

- (b) Eric Palo, President of the Library Board, reported on activities at the three King County library facilities in Bellevue: Lake Hills Community Library, the Library Connection at Crossroads, and Bellevue Regional Library. He described the increasing availability and popularity of programs for youth and teens at the Lake Hills and Crossroads libraries. Bellevue Regional Library is expanding its programs for schools through the support of Bellevue Friends of the Library and developing a homework support/quiet area on the second floor. Bellevue’s main library is working to provide more author lectures and readings, create a more visible job center, and promote well-stocked “Choice Reads” with the help of Bellevue Friends of the Library. There continues to be a need for expanded parking at the library and more meeting rooms. The library is exploring the potential for self-checkout stations to reduce the burden on staff and enhance customer service.

5. Report of the City Manager

At the request of City Manager Steve Sarkozy, Fire Chief Peter Lucarelli briefly reviewed the Fire Department 10-Year Strategic Plan, which updates the 1993 Bellevue Fire Services Master Plan Study.

Planning and Community Development Director Matt Terry discussed a request from the Rosemont Beach Homeowners Association to amend the Shoreline Overlay District of the Bellevue Land Use Code to reinstate a static reference elevation for the purpose of establishing structure setbacks from Lake Sammamish. Proposed regulations currently under consideration by the state legislature would require that Bellevue comply with new state guidelines by 2009.

- ➡ Deputy Mayor Degginger moved to pursue Option 1, a Surgical Shoreline Amendment to address the citizen request for an amendment that establishes a static point of reference for the measurement of structure setbacks on Lake Sammamish.

Responding to Mr. Noble, Mr. Degginger said Option 2 outlined in the Management Brief (Page 5-2 of the Council packet) addresses additional, potentially controversial, issues such as standards for docks and bulkheads. Mr. Terry said the Washington State Department of Ecology is developing new regulations for docks and bulkheads for adoption later this year. He feels the City should wait for changes from the State before addressing the issue.

Mayor Marshall seconded the motion.

- ➡ The motion to pursue Option 1, a Surgical Shoreline Amendment to address the citizen request for an amendment that establishes a static point of reference for the measurement of structure setbacks on Lake Sammamish, carried by a vote of 7-0.

#### 6. Council Business

- ➡ Deputy Mayor Degginger moved to appoint James Bach, Douglas J. Mathews, and Jennifer S. Robertson to serve four-year terms on the Planning Commission, and Dr. Davidson seconded the motion.
- ➡ The motion to approve the appointment of Mr. Bach, Mr. Mathews, and Ms. Robertson to the Planning Commission carried by a vote of 7-0.

Dr. Davidson attended the Probation Board meeting. He thanked City staff for working so hard on the McTavish property acquisition.

Mr. Creighton attended the Crossroads public forum on the Charter Now initiative. He noted a recent visit to Children's Hospital and thanked the hospital for its services to the community.

Mr. Noble attended meetings of Bellevue Human Services Commission, Eastside Human Services Forum Executive Committee, Eastside Transportation Partnership, and the Puget Sound Regional Council (PSRC) Transportation Policy Board. He attended an open house at Pacific Northwest Ballet's new facility in North Bellevue.

Mr. Mosher attended the *Best of Bellevue* event with fellow Councilmembers and a meeting of the Mountains to Sound Greenway Trust.

Mr. Lee attended a meeting of the Access Downtown Committee.

Deputy Mayor Degginger attended the Construction Code Advisory Committee meeting.

Mayor Marshall announced upcoming community forums regarding the Charter City initiative:

April 22 – Somerset, Chevy Chase, Surrey Downs Homeowners Associations are each

hosting a meeting.

April 23 – West Lake Sammamish Community Club

April 24 – Woodridge Community Club.

Mayor Marshall read a letter from the International Institute of Municipal Clerks indicating that Myrna Basich, City Clerk and Assistant City Manager, has been accepted into the Institute's Master Municipal Clerk Academy. Only 1,400 municipal clerks have achieved this goal out of 10,300 active members.

7. Approval of the Agenda

➡ Deputy Mayor Degginger moved to approve the agenda, and Mr. Mosher seconded the motion.

➡ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

➡ Deputy Mayor Degginger moved to approve the Consent Calendar, amended to pull items (e) and (f) to be addressed separately. Mr. Noble seconded the motion.

➡ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

- (a) Minutes of April 7, 2003 Study Session  
Minutes of April 7, 2003 Regular Session
- (b) Motion to approve payment of claims for the period ending April 10, 2003, and payroll for the period March 16 through March 31, 2003.
- (c) Resolution No. 6843 relating to the Municipal Employees Benefit Trust (MEBT), approving and adopting the First Amendment to the City of Bellevue Employees' Retirement Benefit Plan Amended and Restated Agreement.
- (d) Motion to reject all bids for Bid No. 0309 for construction of sustainable building and landscape components for the Lake Hills Ranger Station and Community Gardens, and to rebid at a later date with revised project scope. (CIP Plan No. P-R-11)  
*(In a related action on June 17, 2002, Council adopted Ordinance No. 5375 accepting a grant from the Department of Ecology for 75% of cost, up to \$185,000, to fund sustainable building and site improvements to the Ranger Station.)*
- (g) Resolution No. 6846 on a Preliminary Determination for GC/CM Contracting Method for the new city building redevelopment project.

- (h) Motion to waive minor bid irregularities and award Bid No. 0320 in the amount of \$34,768.40 for hazardous materials abatement at the Meydenbauer Water Treatment Plant site to F.S. & GC Services, Inc., as lowest responsible bidder. (CIP Plan No. W-85)  
*(This project is part of the Meydenbauer Reservoir Replacement Project approved by Council on August 5, 2002.)*
- (i) Resolution No. 6847 authorizing execution of a System Purchase Agreement with Advanced Utility Systems Corporation for the purchase of a Utility Billing Customer Information System (CIS) consisting of software, installation, and implementation services and a software maintenance agreement.  
*(Council was briefed on this system acquisition on February 18 and approved Resolution No. 6819 on February 24, 2003, authorizing a professional services contract with Advanced Utility Systems Corporation for the start-up phase to define deliverables and develop final price quotes.)*

Items for Council comment:

- (e) Resolution No. 6844 authorizing the execution of all documents necessary for the purchase of the *Henrichs property* located at 9821 Lake Washington Boulevard NE, consisting of an estimated 11,900 square feet of land with 71 feet of *waterfront on Meydenbauer Bay*, plus one single family residence. Purchase price shall be \$3,275,000 plus closing costs estimated to be \$3,000.

Deputy Mayor Degginger commented on the two proposed property acquisitions. One provides future public space on Meydenbauer Bay and the other preserves a parcel of forest land in the Woodridge neighborhood. Reflecting on past debates about the McTavish site, Mayor Marshall expressed her enthusiasm for the McTavish acquisition.

➡ Mr. Mosher moved to approve Resolution No. 6844, and Mr. Lee seconded the motion.

➡ The motion to approve Resolution No. 6844 carried by a vote of 7-0.

- (f) Resolution No. 6845 authorizing the execution of all documents necessary for a Purchase Option with the Trust for Public Land for a non-refundable option in the amount of \$20,000 for the acquisition of the McTavish Property (Tax Nos. 042405-9003-01 and 954260-0100 in the Woodridge neighborhood), consisting of an estimated 21.9 acres; and further authorizes the City Manager to exercise the Purchase Option by June 30, 2003, unless otherwise extended by the Seller(s) and the City. The purchase amount would be \$1,450,000 cash at closing or contract terms.

➡ Deputy Mayor Degginger moved to approve Resolution No. 6845, and Mayor Marshall seconded the motion.

➡ The motion to approve Resolution No. 6845 carried by a vote of 7-0.



9. Public Hearings: None.

10. Land Use

- (a) Ordinance No. 5442 approving the application of the City of Bellevue for a rezone from R-3.5C (with conditions) to R-3.5 and deleting a condition of a pre-annexation zoning ordinance that restricted density on property at 5027, 5029, and 5033 159<sup>th</sup> Place SE to make zoning for the area consistent with the Comprehensive Plan. (File No. 03-100077-LQ) (*Discussed with Council on April 7, 2003.*)

Senior Planner Nicholas Matz reviewed the application to rezone property in the Newcastle Subarea from R-3.5C (with conditions) to R-3.5, deleting a condition of pre-annexation zoning that restricted density on the property known as the Hillside School. The condition limited site density to one unit per acre in overall density. He noted a correction to the site description provided in the March 11, 2003, Hearing Examiner's report. The correction is reflected in the ordinance. Mr. Matz said the rezone change will make zoning consistent with the Comprehensive Plan.

☛ Mr. Mosher moved to adopt Ordinance No. 5442, and Mr. Noble seconded the motion.

☛ The motion to adopt Ordinance No. 5442 carried by a vote of 7-0.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business

- (a) Transportation Capital Investment Program (CIP) Quarterly Update  
[Study Session Agenda Item 2(a)]

Transportation Director Goran Sparrman said the presentation will cover the last quarter of 2002 as well as updates on ongoing projects. He noted the Transportation Department is preparing for an eventual decrease in projects several years into the future.

Assistant Director David Berg provided the quarterly update on Transportation Capital Investment Program (CIP) projects. Actual expenditures for the 2002 Transportation CIP Plan totaled \$38.9 million. This does not include Neighborhood Enhancement Program (NEP) projects, which are funded in the Planning and Community Development Department's budget but Transportation staff are responsible for design and construction management. Mr. Berg reviewed fourth quarter 2002 highlights including the Kamber Road project (137<sup>th</sup> to 145<sup>th</sup>), 140<sup>th</sup> Avenue Corridor Improvement project, completion of the NE 8<sup>th</sup> Street and 116<sup>th</sup> Avenue NE intersection (part of *Access Downtown* project), and Coal Creek Parkway.

Mr. Berg reviewed consultant costs as a percentage of overall construction costs. The industry standard reflects consultant costs that are 15 to 25 percent of overall construction costs. Most

Bellevue projects in the fourth quarter fell below 15 percent. However, consultant costs exceeded 25 percent for the NE 29<sup>th</sup> Place and the NE 8<sup>th</sup> Street/116<sup>th</sup> Avenue NE intersection projects. Higher design costs for the NE 29<sup>th</sup> Place project were associated with wetland mitigation. The intersection project was complicated by utility conflicts, coordination with state agencies and railroad companies, and lengthy right-of-way acquisition negotiations.

Mr. Berg reviewed a chart showing that constructions costs for projects completed in 2001 and 2002 were at or below original contract amounts in most cases.

- ➡ Mr. Degginger moved to extend the meeting to 10:15 p.m., and Mr. Mosher seconded the motion.
- ➡ The motion to extend the meeting to 10:15 p.m. carried by a vote of 7-0.

Turning to specific projects, Mr. Berg said the City awarded a construction contract in January for the NE 29<sup>th</sup> Place Connection. The City continues working to resolve right-of-way acquisition of two parcels. The Richards Road project (SE 26<sup>th</sup> Street to Lake Hills Connector) is on schedule for completion in June. The 156<sup>th</sup> Avenue NE project (NE 8<sup>th</sup> Street to Northup Way) has been advertised and award of a contract is scheduled for May 5. The Cougar Mountain Way Corridor Improvements project is scheduled to advertise for bids in late summer. The City is currently working with the U.S. Army Corps of Engineers to determine if the Corps has jurisdiction over a small wetland on the storm water detention site. Mr. Berg noted plans to incorporate artistic figures of cougars into the fence design for this project.

The Factoria Boulevard project is well ahead of schedule. However, the City began receiving complaints about traffic impacts in the past month. Mr. Berg said initial utility relocation work and relocation of the mall's south driveway were completed at night in 2002, minimizing any traffic disruptions. Recent work on a water valve required lane closures for two days. The City is preparing "Business Open" signs for driveways and revising the work plan for the SE 38<sup>th</sup> Street intersection. City staff and the contractor will continue to attend Factoria Area Business Group meetings to ensure open communication.

Mr. Berg said the SE 28<sup>th</sup> Street Extension/BCC Parking Lot No. 7 Modifications project is funded by Bellevue Community College and a contract will be awarded at the May 5 Council meeting. The project must be completed before the fall academic quarter begins. The main 148<sup>th</sup> Avenue SE Roadway Improvements project will begin construction in early 2004. A report on the Forest Drive project will be provided at the April 28 Council meeting. Lake Washington Boulevard non-motorized improvements are nearly complete. Mr. Berg noted cost overruns associated with expanding the walls beyond the original design to provide a more finished and uniform appearance. Meydenbauer Bridge opened in November 2002, one month ahead of schedule. Adjacent park restoration is nearly complete and a public event will be held on May 17 to celebrate its reopening.

Mr. Berg commented on the decreasing number of large capital projects in the coming years. Staff will focus on smaller neighborhood projects with design to be completed in-house rather than by consultants.

13. Continued Oral Communications: None.

14. New business: None.

15. Executive Session: None.

16. Adjournment

At 10:15 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich  
City Clerk

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